

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Novie Dale Carmen, Jerlin C. Amistoso, and
Kersteen B. Flores, individually and as
Representatives of the Classes,

Case No. 1:20cv00313
Judge Douglas R. Cole

Plaintiffs,

**STIPULATION REGARDING
NOTICE FOR
ADDITIONALLY OMITTED
CLASS MEMBERS**

v.

Health Carousel, LLC,

Defendant.

WHEREAS, the Court conducted the Final Approval Hearing in this matter on October 23, 2024.

WHEREAS, in March 2025, the parties learned that Health Carousel had inadvertently identified one class member, Ralph Quimiguing, as not being eligible to opt-in to the FLSA portion of the parties' proposed settlement, although Mr. Quimiguing previously paid a "breach fee" to Health Carousel and should have been eligible to opt-in to the FLSA portion of the proposed settlement.

WHEREAS, under the Settlement and according to Mr. Quimiguing, had Health Carousel correctly classified him as eligible to opt into the FLSA portion of the Settlement and had he received notice and a tear-off opt-in form, he would have opted in. He would have then been eligible to receive approximately \$1,843 more than the allocation he would have received as an absent class member. (or more depending on the funds available after the Court rules on Class Counsel's pending motion for fees, costs, administrative expenses, and service awards).

WHEREAS, due to a change in address, although Mr. Quimiguing did not receive any notice or learn about this Settlement until January of 2025, he is the only class member of which the parties are aware who was placed in the incorrect allocation bucket, i.e., as not eligible to join the FLSA portion of the Settlement.

WHEREAS, Mr. Quimiguing submits his consent to join form, which is attached as Exhibit A.

WHEREFORE, the parties stipulate and agree to the following subject to Court approval:

1. Should the Court grant final approval and enter this stipulation, Health Carousel will pay Mr. Quimiguing his initial allocation plus the \$1,843 more (or a greater amount depending on funds available after the Court rules on Class Counsel's pending motion for fees, costs, administrative expenses, and service payments). Mr. Quimiguing will be eligible to receive the same benefits as class members who were eligible to opt-in to the FLSA portion of the Settlement and received notice. However, the addition of Mr. Quimiguing will not alter the allocations already summarized and presented to the Court. Health Carousel will instead contribute an additional \$1,843 above the Gross Settlement Amount.

2. The parties understand that this stipulation will have no force or effect until and unless approved by the Court, either on the "So Ordered" line below or in the Court's forthcoming order on Final Approval.

SO ORDERED:

United States District Court Judge

Stipulated and agreed to by the parties on this 18th day of March, 2025.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above was filed electronically on March 18, 2025. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s Anna P. Prakash
Anna P. Prakash